

1904-055 Chancery Causes: Powells Valley Bank] vs. Patton Elkins &
Lee Co.

Verable

CA-Debt
T-Property

To the Hon.H.A.W.Skeen,Judge of the Circuit Court for Lee County,Va:

Humply complaining,your orator the Powell's Valley Bank,an incorporation,would respectfully represent and show unto your honor that Patton Elkins being indebted to your orator executed to it a note with W.M.Venable as endorser,waiving the benefit of the homestead exemptions,that on the 19th day of July,1903,the same became due and payable,but the same was not paid either by the said Patton Elkins,W.M.Venable or any other person,and the same being yet due and payable to your petitioner,at the November term, 1903,of your honor's court there was render against the said Elkins and Venable a judgement in favor of your orator for the sum of \$170.50,with interest thereon from the 19th day of july,1903, till paid and \$8.66,upon which judgement there was issued form the clerk's office an execution upon which the sheriff has returned no property found;your orator avers that the said judgement nor any part thereof has been ^apid to your orator,but the same and every part thereof is still due and owing to your orator.

Your orator will furthur represent and show unto your honor that the said Patton Elkins is the owner of a certain tract of land situated on the south side of Walden's ride,in Lee County Vir ginia,and being the same land that ,as your orator is informed, was conveyed to him by G.S.Lawson,now of the State of Mo.,which tract of land it is said contains 35 acres. Your orator avers that notwithstanding the said Elkins has bought,paid for,received a deed to and had said land transferred to him of the land books of the 3rd District of Lee County,yet he has never had his deed of conveyance to said land placed upon record,and therefore your orator is unable to file with this Bill a copy of the said deed.

Your orator will furthur represent and show unto your honor that the said judgement of your orator is the only lien existing against said tract of land;there being no other judgements,and no mortgages, deeds of trust,vendor's or other liens against said property.

Your orator avers also that W.M.Venable is the owner of certain real estate situated in Lee County,Va.,and that there are pending

in your honor's court creditors suits having for their purpose the sale of his lands to satisfy quite a number of various liens against his lands, but your orator is advised that as said Venable is only surety on said note that he has a right to require your petitioner first to exhaust his remedy against the said Patton. Your orator avers that said land will not rent for a sum Elkins. sufficient to pay said judgement in five years.

The prayer therefore of your orator is that the said Patton Elkins and W.M.Venable be made parties defendant to this bill of complaint and be required to answer the same but not under oath, that being expressly waived. That upon a hearing a decree be entered directing a sale of said land of said Elkins or enough thereof as shall be necessary to pay said judgement and the costs of this suit and the expenses of sale. And may all other furthur and general relief be granted your orator that the nature of its cause and good concience requires, and it will ever pray &c.

Permeaton Bros & Co.

Caule's Valley Post

v $\frac{3}{4}$ Bic Dr
Chomey

Cotton Tethys etc

Caule's Valley Post
Bic Dr
Chomey

THE POWELL'S VALLEY BANK, COMPLAINANT)

v.

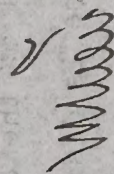
PATTON ELKINS ET AL, DEFENDANTS.)

IN CHANCERY

THIS CAUSE came on this day to be heard upon the bill of the complainant, and upon motion of the plaintiff, this cause is dismissed and stricken from the docket.

[Faint handwritten notes and signatures are visible in the left margin and across the page.]

Panama Valley, Panam.

✓  Decree

P. Echinos stas

En C. O. B. No. 7,
Page 469,

Enter this decree

May - 14 1904

H. A. W. Sheen

Powell's Valley Bank, Complainant,)
vs.) Decree.
Patton Elkins and W.M.Venable, Defendants.)

This case came on this day to be heard upon the bill of the complainant, and it appearing to the court that the said defendants have been duly summoned for more than fifteen days previous to the first day of this term of court and that each failing to appear, plead or answer, said bill of said complainant is taken for confessed. It further appearing to the court that certain liens are set up as against the real estate of Patton Elkins in this cause, and that the title to the real estate of the said Patton Elkins is in a somewhat uncertain state, it is therefore adjudged, ordered and decreed that A.M.Goins, who is hereby appointed a special commissioner for the purpose, after having given the parties, or their attorneys herein, ten day's notice of the time and place of his sitting, shall proceed to ascertain, first, all real estate owned by the said Patton Elkins and the condition of the title thereto and, for this purpose, he shall have power to summon the said Elkins and require him to produce before said commissioner any title papers, which he may have and permit said commissioner to take copies therefrom. Second, said commissioner will ascertain all the liens existing against said real estate and whether or not, same will rent for a sum sufficient in five years to pay the said judgment liens, exclusive of all other liens. Third, said commissioner will report any other matter being pertinent by himself, or required to do so by any person in interest, and he will report his action to the next term of this court, and this cause is continued.

Cowen's Valley Post

7 3/4 there for
ack -

Arthur Elkins &

Encl. C.B. No. 7 p. 404

Enter this diary
July 17, 1904
H.C.W. 3/4

Virginia,

At a Circuit Court continued and held for Lee County, at the Court-house thereof on Wednesday the 17th day of February 1904.

Powells Valley Bank

Complainant,

vs) In Chancery

Patton Elkins and W. M. Venable

Defendants.

This cause came on this day to be heard upon the bill of the Complainant and it appearing to the Court that the said defendants have been duly summoned for more than fifteen days previous to the ~~first~~ day of this term of Court and that each failing to appear, plead or answer, said bill of said Complainant is taken for confessed. It further appearing to the Court that certain liens are set up as against the real estate of Patton Elkins in this cause and that the title to the real estate of the said Patton Elkins is in a somewhat uncertain state, it is therefore adjudged, ordered and decreed that A. M. Goins who is hereby appointed a special Commissioner for the purpose after having given the parties or their attorneys herein ten days notice of the time and place of his sitting shall proceed to ascertain, first, all real estate owned by the said Patton Elkins and the condition of the title thereto and for this purpose he shall have power to summon the said Elkins and require him to produce before said Commissioner any title papers which he may have and permit said Commissioner to take copies therefrom. Second, said Commissioner will ascertain all liens existing against said real estate and whether or not same will rent for a sum sufficient in five years to pay the said judgment liens, exclusive of all other liens, third, said Commissioner will report any other matter being pertinent by himself or required to do so by any person in interest and he will report his action to the next term of this Court, and this cause is continued.

A Copy, Teste:

H. S. Ewing

Clerk.

Test: 1000 A

W. O. K.

form of this Court, and this course is continued.

any person in interest and he will report his action to the next
any other matter being pertinent by himself or reduced to do so by
exclusive of all other liens, third, said Commissioner will report
for a sum sufficient in five years to pay the said Judgment liens,
existing against said real estate and whether or not same will con-
fers therefrom. Second, said Commissioner will ascertain all liens
papers which he may have and permit said Commissioner to take cop-
ies and reduce him to produce before said Commissioner any title
for this purpose he sh all have power to summon the said Ekins
the said Patton Ekins and the condition of the title thereto and
find shall proceed to ascertain, first, all real estate owned by

Powells Valley Bank

Patton Elkins

A. M. Davis
Commencer

Executed Mar. 29,

1904, by delivering
a true copy of the
wishes to A. M. Lewis
his person

P. M. Ball
D. L. 18

S. L.

complaint and is adhering to the Court that the said defendants

This course came on this day to be heard upon the bill of the

Pastor Elynn and W. M. Verbeke Delongueville

Ав) Ил чиница

LOWELL ARCADE BANK

Computerized

Conf-house photo. on Wednesday the 17th day of February 1904.

At a circuit court continued and held for Lee County, at the
Virginia,

The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon *Patton Elkins and M. M. Venable*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at the rules to be held
for the said court, on the *3rd* Monday in *January* *1904* ~~189~~, to answer a
bill in chancery exhibited against *them* in our said court by *Powell*
Valley Bank (Incorporated)

And have then there this writ. Witness, A. B. MUNSEY, Clerk of our said Court, at the
court-house, the *17th* day of *December* *1903* ~~189~~, and in the *128th* year of the
Commonwealth.

A B Munsey Clerk

Copies for
Patton Elkins &
W.M. Venable

Form No. 300½.

Pewells Valley Bank

vs. {
SUBPOENA
IN CHANCERY

Patton Elkins et al

Pennington Bros p. q.

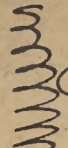
To 2nd January Rules.

1904 Circuit Court.

Executed Dec-
the 31st 1903 by
delivering to
Mr. Venable & Patton
Elkins a true copy
Notice
Writ J. V. Hall

For W. F. Milham
S. S. C.

Camus Valley Bonds

v  Es Choueney

Patton Elkins et al

1904. 2nd January rules bill filed

Summons executed & D.N.

" 1st Feby rules D.N. Confirmed

& Cause set for hearing

Munsey Clerk \$3.61 p.d.

C. " " 2.29

Hall 1.00 Ball 50 Shff. - 1.50

Atty. - 15.00
\$22.40

Costs:

M. Clerk 3.61

C. " 2.29

Shff 1.50

Atty 15.00

\$22.40